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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JOSE VALENTIN MORA,

14 Defendant.

Case No. 3:18-CR-00055-MMD-WGC

ORDER RE:
STIPULATION TO CONTINUE
RESPONSE DEADLINE

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17 IT IS HEREBY STIPULATED AND AGREED by and through NICHOLAS A. TRUTANICH,
18 United States Attorney for the District of Nevada, and JAMES E. KELLER, Assistant United States
19 Attorney, counsel for the United States of America, and CHRIS FREY, counsel for defendant Jose
20 Valentin Mora, that the government shall have to and including July 26, 2019, to file a response to
21 defendant's Motion to Dismiss or, Alternatively, to Compel Production of Grand Jury Transcripts [63].

22 IT IS FURTHER STIPULATED AND AGREED by and between the parties, that they shall
23 have to and including August 2, 2019, to file any reply. This Stipulation is entered into for the following
24 reasons.

1 1. The parties, including counsel for the government who has been engaged in trial from June 17
2 through July 3, need this additional time for effective preparation by counsel to fully and properly
3 respond, taking into account the exercise of due diligence pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv).

4 2. This continuance is further excluded under 18 U.S.C. § 3161 (h)(7)(B)(ii) as the case is so
5 unusual or so complex, due to the number of defendants and related cases, that it is unreasonable to
6 expect adequate preparation for pretrial proceedings or for the trial itself within the time limits
7 established by this section.

8 3. This continuance is in the interests of justice, which outweigh the interests of Defendant and
9 the public in a speedy trial, pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), and the failure to grant this
10 continuance would result in a miscarriage of justice by denying counsel for the parties reasonable time
11 necessary for effective preparation under 18 U.S.C. § 3161(h)(7)(A).

12 4. The additional time requested herein is not sought for purposes of delay, but merely to allow
13 counsel sufficient time to complete necessary research, prepare, and submit appropriate responses.

14 5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
15 The additional time requested by this stipulation is excludable in computing the time within which the
16 trial herein must commence pursuant to the Speedy Trial Act, § 3161 (h)(7)(A), considering the factors
17 under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161 (h)(B)(iv).

18 6. Defendant, through counsel, has no objection to this request.

19 DATED this 19th day of July, 2019.

20
21 /s/ James E. Keller
22 JAMES E. KELLER
23 Assistant United States Attorney
24 Counsel for United States of America

/s/ Chris Frey
CHRIS FREY
Counsel for Defendant Mora

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IT IS ORDERED that the government shall have to and including July 26, 2019, to file a response to defendant's Motion to Dismiss or, Alternatively, to Compel Production of Grand Jury Transcripts [63], and that they shall have to and including August 2, 2019, to file any reply.

DATED: July 22, 2019.

HON. MIRANDA M. DU
United States District Judge